

**IN THE DRAWINGS:**

The attached sheet of drawings includes changes to Figure 6B.

**Attachment:        Replacement Sheet**  
**Annotated Sheet Showing Changes**

## REMARKS

This is intended as a full and complete response to the Office Action dated February 6, 2007, having a shortened statutory period for response set to expire on May 6, 2007. Please reconsider the claims pending in the application for reasons discussed below.

In the specification, the paragraphs [0009], [0025], [0037], [0048], [0056], and [0063] have been amended to correct minor editorial problems.

Claims 1-23 are pending in the application. Claims 1-23 remain pending following entry of this response. Claims 1, 8, 11, 20 and 21 have been amended. Applicants submit that the amendments do not introduce new matter.

### Drawing Objections

The drawings are objected to because in Fig 6B, the label "TO 610" and "TO 602" should be "TO 605" instead. The specification discloses that the step following steps 613, 617, 643, and 646 should be step 605 (see page 19, paragraph [0062]). Additionally, step 646 should read "TIE FUNCTIONALITY TO AGENT" instead of "THE FUNCTIONALITY TO AGENT."

Applicants have amended Figure 6B as requested by the Examiner. Accordingly, Applicants request that this objection be withdrawn.

### Specification Objections

The Examiner objects to the specification based on minor informalities in paragraphs [0009], [0037], [0056], and [0063]. Applicants have amended these paragraphs as requested by the Examiner. Accordingly, Applicants request that this objection be withdrawn.

Additionally, the Examiner also objects to the specification stating:

The use of the trademark JAVA and C++ has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Applicants have amended the specification to properly use the trademark "Java" registered to Sun Microsystems, Inc. However, Applicants are unaware of trademark rights of any party in the generic term "C++", used in reference to the C++ programming language. Accordingly, Applicants request that this rejection be withdrawn, or alternatively, that the Examiner clarify his position regarding the generic term "C++."

#### Claim Objections

The Examiner objects to the claims 1 and 21 based on minor informalities in these claims. Applicants have amended these claims as requested by the Examiner. Accordingly, Applicants request that this objection be withdrawn.

#### Claim Rejections - 35 U.S.C. § 101

Claims 1-23 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

#### Regarding claim 1 and 8:

The present rejection provides:

With respect to claim 1 and 8, the "computer-readable medium," in accordance with applicant's specification, may be a signal-bearing medium (see page 6, paragraph [0023]). This subject matter is not limited to that which falls within a statutory category of invention because it is not limited to a process, machine, manufacture, or a composition of matter. Instead, it includes a form of energy.

*Office Action*, p.4. With this response, Applicants have amended claims 1 and 8 to limit these claims to an application development template residing in a computer-readable storage medium. Applicants maintain that a computer readable storage medium containing a program is directed to patentable subject matter. A claimed invention is directed to a practical application of a § 101 judicial exception when it "transforms" an article or physical object to a different state or thing. MPEP § 2106.IV.C.2.(A). A computer readable storage medium is a physical article, and reading and/or writing a program from/onto a computer readable storage medium is a physical transformation of that physical article into a different state. As such, Applicants submit that claims 1 and 8

(and the claims dependent therefrom) are limited to tangible computer-readable media, and, are therefore statutory subject matter under 35 U.S.C. § 101. For the same reasons, Applicants submit that claims 2-7, and 9-10 are directed to statutory subject matter.

Regarding Claim 11 and 20:

The present rejection provides:

Claim 11 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. ... The claim merely cite [sic] the steps associated with using a standard application development template and does not cite a result, so it does not satisfy the requirement of producing a useful, concrete, and tangible result.

*Office Action*, p. 5. "In determining whether the claim is for a 'practical application,' the focus is not on whether the steps taken to achieve a particular result are useful, tangible, and concrete, but rather that the final result is 'useful, tangible and concrete.'" See *Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility*, 70 Fed. Reg. 75451 (Interim Guidelines) (citing *State Street Bank v. Signature Financial*, 149 F.3d at 1374, 47 USPQ2d at 1602). Claim 11 meets this threshold. Claim 11 recites a computer implemented method of generating a software application using an application development template comprising. The "final result" after the computer-implemented method is performed is that the software application is, in fact, generated, according to the method recited by claim 11. In addition to providing steps, a receiving step, generating steps, claim 11 recites a step of combining the generated form, view, shared action and agent to generate the software application. Clearly, this result satisfies the requirements of 35 U.S.C. § 101. For the same reasons, Applicants submit that claims 12-19 are directed to statutory subject matter.

Similarly, claim 20 recites a computer implemented method of generating a document management application that includes a providing step, a receiving step, a generating step. Claim 10 also recites a step of integrating the application-specific copy of the selected front-end templates and back-end templates to the document management application. Clearly, the "final result" after this computer-implemented method is performed is that the document management application is, in fact, generated

according to the method of claim 20, thereby providing a final result is "useful, tangible and concrete," as required under 35 U.S.C. § 101. For the same reasons, Applicants submit that claims 21-23 are directed to statutory subject matter.

Claim Rejections - 35 U.S.C. § 102

Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by *Saimi et al.*, (US Pat. Pub. No. 2001/0047402). Applicants respectfully traverse this rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Regarding Claims 1 and 8:

In this case, *Saimi* does not disclose "each and every element as set forth in the claim". For example, *Saimi* does not disclose an "application development template residing in a computer-readable storage medium and configured to facilitate application development. As recited by claim 1, the application development template includes a plurality of front-end templates configured for specifying user interface elements of an application under development. As claimed, the front-end templates includes a template form, a template view, and a template shared action. And also includes at least one back-end template configured for specifying background processes of the application under development, the back-end template including at least one template agent. Claim 8 recites similar limitations.

The Examiner suggests that *Saimi* discloses these elements at [0074], [0076], [0080], and [0085]. However, the cited passage is in fact directed to aspects of Java Beans, Java Server pages, and servlets. As is well known, Java beans are classes written in the Java programming language. They are used to encapsulate many

objects into a single object (the bean), so that the bean can be passed around rather than the individual objects. And Java Server Pages (JSP) is a Java-specific technology used to generate HTML, XML or other types of documents in response to a Web client request. The technology allows Java code and certain pre-defined actions to be embedded into static content using tags known as JSP actions. Also as is well known, JSPs are compiled into servlets. Conspicuously absent from this material from *Saimi*, however, is any discussion of front-end templates, back-end templates. Furthermore, nothing in this material discloses a front-end template that includes a template form, a template view, and a template shared action, and a back-end template that includes at least one template agent, as recited by the present claims.

Accordingly, Applicants submit that claims 1 and 8 are patentable over *Saimi*. For the same reasons, Applicants submit that claims 2-7, and 9-10 are also are patentable over *Saimi*. Applicants respectfully request, therefore, that this rejection be withdrawn.

Regarding claim 11:

In this case, *Saimi* does not disclose “each and every element” as set forth in claim 11. For example, *Saimi* does not disclose a “computer implemented method of generating a software application using a standard an application development template that includes a step of providing front-end templates including at least template forms, template views and template shared actions and providing one or more back-end template components including at least template agents. Like the rejection of claim 1 and 8, the Examiner cites to a discussion of Java-specific programming constructs of a servlet, JSP pages, and Java beans. As demonstrated above, however, these generic programming constructs fail to disclose a specific application development template that includes front-end templates having at least template forms, template views and template shared actions, and back-end templates having at least template agents.

Accordingly, Applicants submit that claim 11 is patentable over *Saimi*. For the same reasons, Applicants submit that claims 12-19 are also are patentable over *Saimi*. Applicants respectfully request, therefore, that this rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 103

Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saimi et al., (US 2001/0047402 A1, published: 11/29/2001). The Examiner takes the position that

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2142. To establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 2143. The present rejection fails to establish at least the third criteria.

Like the rejection of claim 1 and 8, the Examiner rejects claims 20-23 cites to a discussion of Java-specific programming constructs of a servlet, JSP pages, and Java beans. For all the reasons set forth, above, these generic programming constructs fail to disclose a specific application development template that includes front-end templates having at least template forms, template views and template shared actions, and back-end templates having at least template agents, as recited by claim 20.

Accordingly, Applicants submit that claim 20 is patentable over *Saimi*. For the same reasons, Applicants submit that claims 22-23 are also are patentable over *Saimi*. Applicants respectfully request, therefore, that this rejection be withdrawn.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and  
**S-signed pursuant to 37 CFR 1.4,**

/Gero G. McClellan, Reg. No. 44,227/

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